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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/539,036	10/539,036 12/27/2005		Hidehiro Uchiumi	740675-61	5999	
22204	7590	08/28/2006	EXAMINER		INER	
NIXON PE		-	MULLINS, BURTON S			
401 9TH ST SUITE 900	KEEI, N	W		ART UNIT	PAPER NUMBER	
WASHING	WASHINGTON, DC 20004-2128					
				DATE MAILED: 08/28/200	DATE MAILED: 08/28/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
Office Action Commence	10/539,036	UCHIUMI ET AL.					
Office Action Summary	Examiner	Art Unit					
	Burton S. Mullins	2834					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
<ol> <li>Responsive to communication(s) filed on 15 Jule</li> <li>This action is FINAL.</li> <li>Since this application is in condition for alloware closed in accordance with the practice under E</li> </ol>	action is non-final. nce except for formal matters, pro	secution as to the merits is					
Disposition of Claims							
4)  Claim(s) 1-18 is/are pending in the application.  4a) Of the above claim(s) is/are withdraw  5)  Claim(s) is/are allowed.  6)  Claim(s) is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) 1-18 are subject to restriction and/or explication Papers  9)  The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access Applicant may not request that any objection to the explicant may not request that any objection to the examine 11) The oath or declaration is objected to by the Examine 11) The oath or declaration is objected to by the Examine 11) The oath or declaration is objected to by the Examine 11) The oath or declaration is objected to by the Examine 11) The oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 11 or oath or declaration is objected to by the Examine 12 or oath or declaration is objected to by the Examine 13 or oath or declaration is objected to by the Examine 14 or oath or declaration is objected to by the Examine 14 or oath or declaration is objected to by the Examine 14 or oath or declaration is objected to by the Examine 14 or oath or declaration is objected to by the Examine 14 or oath or oath or declaration is objected to by the Examine 14 or oath or declaration is objected to by the Examine 14 or oath or o	vn from consideration. election requirement.  r. epted or b) □ objected to by the Edrawing(s) be held in abeyance. Section is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).					
Priority under 35 U.S.C. § 119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>							
Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:						

## **DETAILED ACTION**

## Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-11 and 17-18, drawn to a vibration motor with power supply terminals comprising blades.

Group II, claim(s) 12-16, drawn to a mounting holder for a vibration motor.

- 2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I has the special technical features of a power supply terminal comprising a pair of resilient terminal blades located on a terminal-blade mount provided at a face of the external housing case of the motor, facing each other and pressing together. Group II has the special technical features of a mounting holder including a groove-shaped rail at a part of the outside of the holder (claims 12-13) or at a facing position that covers an outside of an external housing case of the motor (claim 14).
- 3. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Burton S. Mullins whose telephone number is 571-272-2029. The examiner can normally be reached on Monday-Friday, 9 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Burton S. Mullins
Primary Examiner
Art Unit 2834

bm

18 August 2006